

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 25-CV-80890-MATTHEWMAN

DAVID MORRIS CLAYMAN,

Plaintiff,

vs.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

/

MOTION FOR EXTENSION OF TIME TO FILE REPLY

Defendants, by and through the undersigned Assistant United States Attorney, hereby files this Motion for Extension of Time to File Reply in Support of Defendants' Motion to Dismiss Plaintiff's Amended Complaint and state:

1. On July 15, 2025, Plaintiff filed a Complaint [D.E. 1] for alleged violations under the RFRA and other claims.
2. Plaintiff filed an Amended Complaint on August 4, 2025. [D.E. 19].
3. On August 15, 2025, Defendants filed a Motion to Dismiss the Amended Complaint. [D.E. 27].
4. Since filing the Motion to Dismiss, there have been 18 docket entries, including a Motion for Permanent Injunction [D.E. 31] that was denied by this Court [D.E. 43], Motion for Leave to File Second Amended Complaint [D.E. 35], Part A: Summary Reply in Opposition to Motion to Deem Plaintiff a Vexatious Litigant [D.E. 37], Plaintiff's Reply to Motion for Permanent Injunction [D.E. 39], Plaintiff's Motion to Protect the Sacred Names of God [D.E. 40], among other filings.

5. Buried in the 18 filings mentioned above was a filing titled “Request for Extension of Time and Fallback Response to Defendant’s Motion to Dismiss First Amendment Complaint.” [D.E. 36].

6. The undersigned overlooked the fact that the Request for Extension also included a Response to Defendants’ Motion to Dismiss, and did not realize the mistake until this Court’s paperless Order denying Plaintiff’s Extension of Time as Moot and stating it will still consider Plaintiff’s Fallback Response. [D.E. 44].

7. The undersigned profusely apologizes to the Court for its failure to recognize a Response to the Defendant’s Motion to Dismiss was included in the Plaintiff’s Motion for Extension of Time.

8. The Defendants request a seven (7) day extension to file a Reply in Support of their Motion to Dismiss, up to and including Monday, September 29, 2025.

9. The Defendants do not seek this extension for the purpose of delay, but rather to fully respond to Plaintiff’s arguments as set forth in his Response to Defendant’s Motion to Dismiss.

10. On September 21, 2025, the undersigned Assistant United States Attorney contacted Plaintiff via email to confer about this motion. Plaintiff objects to the relief sought by the Defendants.

WHEREFORE, the Defendants respectfully requests this Court grant an extension of time for Defendants to file a Reply in Support of Defendants’ Motion to Dismiss of seven (7) days, up to and including September 29, 2025.

Respectfully submitted,

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